To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia.

Humbly complaining, your oratrix, Almira Johnson, would repsectfully represent and show unto your honon, that on the _____ day of _____, 19___, she purchased from James E. Parsons a certain tract or parcel of land lying and being in said county in the Pocket Country on the water of Pot Branch, adjoining the land of W. H. Johnson and others, and containing forty acres more or less, which purchase was made in gross and by the boundary, and, the meets and bounds of the said trat or parcel of land were agreed upon by your oratrix and the said Parsons, and well known and understood. The said purchase of the said tract or parcel of land was at the price of $ 200.00, no part of which has yet been paid, but the same was to be paid upon the execution of a proper deed for the said land by said Parsons, and your oratrix deposited the said amount of money in the Powell's Valley Bank in Jonesville, Virginia for the purpose aforesaid, where it still remains. The said Parsons promised to execute such deed for said land, but delayed the matter for a short time & unfortunately was takenill and depaated this life intestate on the _____ day of May, 1907, without having made and delivered to your oratrix a proper deed for said land. There was no written contract entered into between your oratrix and the said Parsons in reference to the said purchase of said land, but your oratrix immediately entered into possession thereof and is still in possession of said land, and has built a dwelling house thereon and made other perminent and valuable improvements thereon. The said Parsons at the time of his death left surviving him his widow, E. C. Parsons, and B. L. Parsons, G. C. Parsons, Alonzo Parsons, Junie Parsons, Rhea Parsons, Luther Parsons, and Kila Parsons, his children and heirs at law. Your oratrix here tenders along

with her bill the said sum of $200.00 purchase price of said land, to be delivered to the administrator of the said James E. Parsons, deceased, for the benefit of his estate, so soon as a proper deed for said land is executed to your oratrix.

A more full and complete description of said tract or parcel of said land will be found filed herewith as part hereof, marked "A" .

The object of this bill, therefore, is to have a specific execution of the contract for the sale and purchase of said tract of land between your oratrix and the said Parsons. To this end, she makes the said E. C. Parsons, widow, and B. L. Parsons, G. C. Parsons, Alonzo Parsons, Junie Parsons, Rhea Parsons, Luther Parsons, and Kila Parsons, children and heirs at law of James E. Parsons, deceased, the parties defendants hereto, and asks that they be required to answer the same ,but not under oath, answer under oath being waived, that proper process issue and a Guardian Ad Litem be appointed to appear and answer for the said children and heirs at law, who are all infants; and that upon a hearing the relief above prayed for be granted, together with all such other further and general relief as may be suited to the cause, And your oratrix will ever pray &c.

Orr & Noel p.q.

Almira Johnson

vs

Bill in Chy.

E. C. Parsons et al

1904 1st Nov. Rules
Bill filed Sca.
as to E.C. Parsons
& D.N. as to his
" 2nd Nov. Rules
D.N. confirmed
Ans G.A.L. filed
and consent for
hearing.
1907. Dec. - Cause.
1908. May - Contd.
" Sept. -

Costs:

Clerk	$6.00
Sheff.	.50
G.A.L.	5.00
Atty.	15.00
Comr.	5.00
Surveyor	9.53
	$41.03
Depo.	1.25
	$42.28

Everett Waddey Co., Stationers and Printers, Richmond, Va. } Form No. 35.

In the Circuit Court for the County of Lee,

to-wit:

THE ANSWER OF B. L. Parsons, J. C. Parsons, Alonzo. Parsons Junie Parsons. Rhea Parsons, Luther Parsons, and [redacted] Parsons

infants under the age of twenty-one years, by M. G. Ely.

guardian *ad litem*, assigned to defend them in this suit, to a bill of complaint exhibited against them and others in the Circuit Court for the County of Lee, by Almira Johnson ~~and others~~.

The respondent , reserving to themselves the benefit of all just exceptions to the said bill, for answer thereto, answering by said guardian *ad litem*, say that they are infants of tender years, and by reason of such disability are incapable of understanding, or of taking care of their rights and interests, They therefore commend the same to the protection of the court, and prays that no decree may be pronounced which will tend to their prejudice.

And having answered, the respondent pray to be hence dismissed with their reasonable costs, in this behalf expended; and they will ever pray, &c.

M. G. Ely. Guardian *ad litem*.

p. d.

County of Lee } ss.

This day, M. G. Ely, whose name is signed to the foregoing answer, personally appeared before me, H. C. Joslyn Justice and made oath that the statements made therein, so far as they depend upon his own knowledge, are true, and so far as they depend upon knowledge derived from others he believes them to be true.

Given under my hand, this 23rd day of Nov. 1907.

H. C. Joslyn J.P.

Form No. 35.

E. C. Parsons et als.

adv.

ANSWER
OF
INFANT DEFENDANT.

Almira Johnson.

Filed Nov. 23, 1907.
W. C. T. Ewing,
Clerk.

M. A. L. Thompson

Almira Johnson, Plaintiff.

vs. In Chancery

E. C. Parsons, et al Defendants/

This cause came on again to be heard upon the papers formerly read in the cause, and the report of James W. Orr, Special Commissioner, this day filed in the cause, and the deed to the plaintiff for the tract of land in the cause mentioned and directed to be conveyed by said commissioner to the plaintiff, which report and deed being unexpected to, it is adjudged, ordered and decreed that said report and deed be and the same are hereby approved and confirmed. And said commissioner will pay to the administrator of J. E. Parsons, deceased, the amount in his hands, after paying the costs of this suit, of $157.72, and take the receipt of said administrator for that sum to be accounted for by the said administrator in the settlement of his administration account. Said commissioner will deliver the said deed to the said Almira Johnson for recordation . And nothing further remaining to be done in this cause, the same is ordered to be stricken from the docket.

Alvira Johnson
vs } Decree Final
E. C. Parsons et al.

Entered in C.O.B.
#8, page 341

Enter this decree,
H A W Sluss
Sept 10" 1908.

Almira Johnson, Plaintiff.

vs. In Chancery

E. C. Parsons, et al, Defendants.

This cause came on to be heard upon the bill of the plaintiff, the process duly executed on E. C. Parsons, the adult defendant, the answer of the infant defendants, by M. G. Ely, their Guardian Ad Litem, and the cause regularly matured at rules, and set for hearing. And upon the depositions of H. P. Dixon and the survey therewith, this day filed in the cause, and was argued by counsel. And the said E. C. Parsons failing to appear the bill is taken for Confessed as to her.

On consideration thereof, and the court, being of ~~the~~ opinion that the contract of sale of the tract of land in the bill mentioned, between J. E. Parsons, deceased, and the plaintiff, Almira Johnson, should be specifically executed, it is adjudged, ordered and decreed that the same be done, and that J. W. Orr, who is appointed a special commissioner for the purpose, do convey with covenants of special warranty to the plaintiff, the tract of land in the bill mentioned, according to the meets and bounds set forth by the said H. P. Dixon in his survey filed with his said deposition, and that the plaintiff pay to the administrator of J. E. Parsons, deceased, the said purchase price of $200.00, before receiving said deed, and that the plaintiff recover the taxable costs of this suit which she will be entitled to retain out of the said purchase money, and which shall include a fee of $5.00 to said commissioner for making the said deed to the plaintiff. Said commissioner Orr will report his action here-under together with the facts of the payments of said purchase money and the making of said deed, to ~~some future day of this court, until which time the cause is continued~~.

Almira Johnson.

vs Decree.

E. C. Parsons et al.

Entered in C.O.B.
#8, page 390 &c

Enter this Decree.

Hawskin

Sept 1st 1908.

The depositions of H. P. Dixon _____

taken before the undersigned notary public at the law office of James W. Orr, in the town of Jonesville, Virginia, by consent of parties, on the 9th day of September, 1908, to be read a s evedence in a certain suit in Chancery pending in the Circuit Court of said County, in which Almira Johnson is plaintiff and E. C. Parsons and others are defendants.

James W. Orr, attorney
for plaintiff/

PRESENT, and

M. G. Ely, Counsel for E. C. Parsons, widow, and Guardian Ad Litem for the infant defendants.

The said H. P. Dixon being duly sworn deposes and says:

Questions by Plaintiff's counsel.

Q1. Were you acquanited wtih James E. Parsons, deceased, and his widow and children who are parties to this suit?

A. I was acquainted with him and am acquainted with his widow and children. I knew James E. Parsons for twenty years.

Q2 Did you have any conversation with the said Parsons at any time before his death in regard to his business matters, and if so, please state when and where as near as you can, and, what the conversation was.

A. A few days before his death and perhaps not more than two or three, and on Saturday night before his death he said all night at my house, and was then in very feeble health. He said to me on that occasion that he would not be here long, just a short time, having reference to his health, and that there was no one knew much about his business, and that his wife did not know much about it, and he requested me to make a list of his property notes, and cash, which

I did, he putting a value on them, and in giving me the list of his notes he designated wh at he considered good. He stated that he had some bank stock and I think he said in the Peoples National Bank at Jone ville, but he did not put any value on that, and that was not listed. The property notes, cash, &c. listed amounted to $1750.00. He stated that he owed about $1250.00 on the Baker land where he then lived in the Hurrican Country, and that he would have about five hundred dollars after finishing paying for his said land and remarked that he supposed that would burry him. In that conversation ~~that~~ he also stated that he had sold asmall piece of land on Pot Branch in the Pockett Country to Mrs. Almira Johnson, or her husband known as Squire Johnson, for $200.00. Said that he had made no deed for the land but must do so right away, that he wanted it fixed up, that the money was in the bank to pay for the land. Next day, which was Sunday, myself and wife and ~~xxxxxx~~ the children went with him part of the way home in the Hurrican Country, and helped him along. He was related to my wife, and distantly to myself. I am well acquainted with the land that he sold to Mrs. Johnson, have known it for twenty years, and recently at the request of James w. Orr Counsel for Mrs. Johnson I have made a survey of the said tract or parcel of land, which survey was satisfactory to Mrs. Johnson, and also the asjacent land owners, they all being present, except the Blackmountain people, who I understand owns the mineral. They were not present. I here file as part of my deposition marked "Survey" a description of the said tract or parcel of land, giving its meet and bounds and which tract contains twenty four acres more or less, which I consider correct. I observed while making this survey that the plaintiff and her husband have made permanent improvements on said tract of land since their purchase, as follows: Three dwelling houses, at a cost of, I would think of at least $400.00, perhaps more. In addition to this they have erected out buildings such as stables, cribs, at a cost, I should think not less than fifty dollars. They have done some clearing and fencing on the land in addition to the abvve, which I also consider a

permanent ~~xxxx~~ improvement.

Q. State whentheror not you consider $200.00 a fair price for the said tract of land at the time it waspurchase from Mr. Parsons.

A. I consider it was a big price. My understanding is, and I am satisfied that it is correct that the mineral on this land is owned by some other person than Mr. Parsons, and was not sold by him to the plaintiff. I understand that the mineral was sold to F. A. Stratton

Q. State whether or not you ever heard E. C. Parsons, widow of James E. Parsons, deceased, say anything about the sale of this land to plaintiff, and if so what she said in regard to the sale having been made.

A. She told me that she knew that the sale had been made, but the purchase money had not been paid, and expressed an anxiety to have the sale carried out and the money collected, and asked me to aid her in accomplishing that end.

And further this deponant saith not.

H. P. Dixon

Virginia, Lee County, to-wit:

I, A. C. Brown a notary public in and for the county and state aforesaid, do certify, that the foregoing deposition of H. P. Dixon, was this day taken subscribed and sowen to before me , at the time and place and for the purposes in the caption mentioned.

Given under my hand this the 9th day of September, 1908

A. C. Brown N.P.

Almira Johnson

vs Defo.

E. C. Parsons et al.

Filed Sept. 9, 1908

H. C. P. Ewing,

Clerk

V. P.	.75
Witness	.50
	$ 1.25

Almira Johnson, Plaintiff

vs. In Chancery

E. C. Parsons, et al, defendants.

The undersigned commissioner in this cause respectfully reports that pursuant to the decree entered in said cause, he has conveyed with proper deed with covenants of special warranty to Almira Johnson the tract of land in the bill and proceedings mentioned. The said Almira Johnson having paid to your commissioner the pruchase money of $200.00 as directed by said decree, out of which your commissioner has paid the costs of this suit as taxed by the clerk, amounting to $42.28, and the residue if $157.72 he has in his hands and will pay the same to the administrator of J. E. Parsons, deceased, at the first opportunity. Said deed is herewith filed as part hereof marked "DEED".

James W Orr
COMMISSIONER.

Almira Johnson.

vs. } Comm's Report of Dec.

E. C. Parsons et al.

Filed Sept 10th 1908.

H. O. D. Ewing,

Clerk.

14
13
24 A 1

The undersigned at the request of Almira Johnson has surveyed and defined a tract or parcel of land that she claims to have purchased from James E Parsons deceased, in his lifetime and for which she obtained no deed from said Parsons, and which tract or parcel of land is situated in the Pocket Country on the waters of Pat Branch, and which is bounded as follows, to wit:- Beginning at a Chestnut and large oak, thence S 78½ E 5 poles and seven feet to a large Chestnut, thence N 69½ E 8½ poles to a large oak, thence S 64½ E 15¼ poles to a chestnut oak; thence S 87½ E. 10½ poles to a stake, thence S 32 E 13 poles to a stake, thence N 87 E 12¾ poles to a Stake, thence S 60 E 15 poles to a Sourwood, Chestnut and oak, thence N 69 E 5 poles to a Stake, thence S 84 E 9 poles to a Sourwood, thence S 32 E 16 poles to a water oak & Stake; thence S 79 E 20⅘ poles to a water Oak, thence S 75½ E 16 poles to a gum & Chestnut thence S 60 E 5 poles to a large chestnut, corner to lot No 2, thence S 40 W 44 poles to a rock in Pat Branch; thence N 72 W 20 poles to a Stake in Pat Branch; thence N 85 W 3 poles to a Stake; thence N 40 W 5 poles to a Stake; thence N 77½ W. 33 poles to a Stake in Pat Branch; thence S 86 W 10 poles to a stake; thence N 76½ W. 12 poles to a Stake; thence N 59 W 4 poles to a large Buckeye; thence N. 72½ W. 17 poles to a rock and Stake; at the mouth of a small drain; thence N 3 E 12 poles to a Stake in said drain; thence N 5 W. 20 poles

to a rock; placed there by agreement of the parties to take the place of a Sasafras and water oak; thence N. 5 W 20 poles to the beginning, Containing 24 Acres, more or less.

H P. Dixon, Surveyor.

Almira Johnson
vs Survey.
E. C. Parsons et al.

Exhibit "A" with Bill

Survey.
Exhibit with A. P. Dixon's deposition.

Surveyor's cost $9.53

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon E. C. Parsons, B. L. Parsons, G. C. Parsons, Alonzo Parsons, Jessie Parsons, Rhea Parsons, Luther Parsons and Lila Parsons,

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the 1st Monday in November, 1907, to answer a bill in chancery exhibited against them in our said Court by Almira Johnson.

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 7th day of October, 1907, and 132 year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

Almira Johnson

VS { SUBPŒNA IN CHANCERY

E. C. Parsons, et al.

Orr & Noel, p. q.

To 1st November Rules

Lee Circuit Court

1907

Executed by delivering a true copy of the Within to E. C. Parson this the 29 day of Oct. 1907 W B Short D S for P M Ball S L C